

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ALLIED ERECTING AND
DISMANTLING CO., INC. and
ALLIED-GATOR, INC.,

Plaintiffs,

v.

GENESIS EQUIPMENT &
MANUFACTURING, INC.,
PALADIN BRANDS, LLC,
MARK D. RAMUN and
GENESIS ATTACHMENTS, LLC,

Defendants.

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Civil Action No. 4:06-CV-114

The Honorable Peter C. Economus

Magistrate Judge George J. Limbert

**DEFENDANTS' MOTION TO
STRIKE THE SUPPLEMENTAL
EXPERT REPORT OF RON
KARANI**

On April 26, 2010, two years after the close of discovery and almost a year since the Court ruled on the Defendants’ motion for summary judgment, Plaintiffs produced a Supplemental Expert Report for Ron Karani, their liability expert, which includes (for the first time) Mr. Karani’s opinion on the scope of the relevant product market. At Mr. Karani’s May 27, 2010 deposition, Plaintiffs’ produced “a crate” of new documents without identifying those upon which Mr. Karani based his opinion. Mr. Karani also revealed (for the first time) that he based at least part of his Supplemental Expert Report on his *ex parte* conversations with Genesis employees.

Accordingly, and also for the reasons set forth in Defendants' Trial Brief, pages 16 to 19, the Defendants respectfully request that the Court strike the Supplemental Expert Report of Ron Karani, dated April 26, 2010 as untimely and otherwise improper.

Respectfully submitted,

Dated: June 18, 2010

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CERTIFICATE OF SERVICE

I hereby certify that on **June 18, 2010**, a copy of **Defendants' Motion to Strike the Supplemental Report of Ron Karani** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

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